UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,779	07/24/2001	Hideo Shimazu	017446.0314	3553

22428 7590 06/21/2005

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER	
GYORFI, THOMAS A	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/910,779	SHIMAZU, HIDEO	
	Examiner	Art Unit	
	Tom Gyorfi	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-13* is/are rejected.

7)☒ Claim(s) *6, 14, and 15* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/24/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-15 remain for examination. The correspondence filed 2/18/05 added claims 14 and 15.

Response to Arguments

2. Applicant has brought two procedural issues to the Office's attention. First, the form PTOL-326 in this Action has been corrected so as to indicate that a copy of the foreign priority document originally filed 7/24/01 has been received and accepted. Second, a copy of the IDS that was acknowledged and signed by the previous Examiner, and originally included in the Office Action mailed 11/21/03, has been included in this Office Action upon Applicant's request.

3. Applicant's arguments, see pages 8-10, filed 2/18/05, with respect to the rejection(s)of claim(s) 1 and 8 under Bowen have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the Baillard reference (cited by the Applicant) in combination with Barros, and EP 822502 A1.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 7-9, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the article "Segmentation of Urban Scenes from Aerial Stereo Imagery" by Baillard et al. (hereinafter "Baillard") in view of Barros (U.S. Patent 6,307,573), and further in view of British Telecom (European Patent 0822502A1; hereinafter "BT").

Referring to Claim 1:

Baillard discloses an information search and presentation system comprising: a 3D image converter for outputting 3D image data on the basis of a plurality of aerial photographs obtained by photographing a single area from different places, with a physical position of the area being specified (section 2, "General Strategy").

Baillard does no explicitly disclose "a first database for storing a pair of a textual expression and position information as a unit record, the textual expression pertaining to a name and contents of a landmark existing in the area photographed to obtain the aerial- photographs; a search engine for outputting link information for page data including associated contents from a set of page data on public view in a World Wide Web in response to an input keyword, wherein the first database is not accessible by the search engine; and an 3D image browser for creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the basis of the 3D image

data from said 3D image converter and the viewpoint position, presenting the image to the user, looking up said first database in accordance with an associated information presentation request associated with the position designated by the user, and, if a landmark corresponding to the designated position exists, outputting to said search engine a textual expression pertaining to a name and contents of the corresponding landmark as a keyword to present a search result obtained by said search engine."

Barros discloses a first database for storing a pair of a textual expression and position information as a unit record (col 12, lines 40-55), the textual expression pertaining to a name and contents of a landmark existing in the area photographed to obtain the aerial- photographs (col 12, line 50-55); a search engine for outputting link information for page data including associated contents from a set of page data on public view in a World Wide Web in response to an input keyword (col 10, lines 30-35 and col 11, lines 40-50), wherein the first database is not accessible by the search engine (col 11, lines 40-50); and an 3D image browser for creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the basis of the 3D image data from said 3D image converter and the viewpoint position (col 6, lines 40-50 and col 7, lines 10-15), presenting the image to the user (col 6, lines 55-60), looking up said first database in accordance with an associated information presentation request associated with the position designated by the user (col 9, lines 40-45), and, if a landmark corresponding to the designated position exists, outputting to said search engine a textual expression pertaining to a name and contents of the corresponding

landmark as a keyword to present a search result obtained by said search engine (col 11, lines 35-55).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Baillard to include a search database for locating landmarks based on keywords and user location. One of ordinary skill in the art would have been motivated to do this because it would allow the user to retrieve dynamic landmark information (col 10, lines 30-40).

Baillard in view of Barros is silent regarding specifically searching the World Wide Web using a keyword provided by a database as a search term. However, BT discloses the ability to automatically supply a search engine with keywords obtained from a database (page 3, lines 18-25 and 35-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Baillard in view of Barros to search the World Wide Web with a textual expression obtained from a database. One of ordinary skill in the art would have been motivated to do this because it would allow the invention to display current data obtained from a plurality of remote data sources (Barros, col. 4, lines 29-32; BT, Figure 1).

Referring to Claim 7:

Baillard in view of Barros in view of BT discloses the limitations as discussed in Claim 1 above. Barros further discloses said 3D image browser comprises: a 3D image creation section for creating a 3D, stereoscopic image viewed from a viewpoint position designated by the user on the basis of 3D image data from said 3D image converter

and the viewpoint position (col 6, lines 40-50 and col 7, lines 10-15); a database access section for accessing said database in accordance with an associated information presentation request associated with the viewpoint position designated by the user (col 9, lines 40-45); and a search control section for, when an access result indicates that a landmark corresponding a designated position exists, outputting to said search engine a textual expression pertaining to a name and contents of the corresponding landmark as a keyword, and presenting a search result output from said search engine (col 11, lines 35-55).

Referring to Claim 8:

Baillard discloses an information search and presentation system comprising: 3D image conversion means for outputting image data on the basis of a plurality of aerial photographs obtained by photographing a single area from different places, with a physical position of the area being specified (section 2, "General Strategy").

Baillard does not explicitly disclose "a database for storing a pair of a textual expression and position information as a unit record the textual expression pertaining a name and contents of a landmark existing in the area photographed to obtain the aerial photographs; search means for outputting link information for page data including associated contents from a set of page data on public view in a World Wide Web in response to an input keyword, wherein the database is not accessible by the search means; 3D image creation means for creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the basis of the 3D image data from said 3D

image converter and the viewpoint position; database access means for accessing said database in accordance with an associated information presentation request associates with the position designated by the user; and search control means for, if an access result indicating that a landmark corresponding to the designated position exists, outputting to said search means a textual expression pertaining to a name and contents of the corresponding landmark as a keyword, and presenting a search result output from said search means."

Barros discloses a database for storing a pair of a textual expression and position information as a unit record the textual expression pertaining a name and contents of a landmark existing in the area photographed to obtain the aerial photographs (col 12, lines 40-55); search means for outputting link information for page data including associated contents from a set of page data on public view in a World Wide Web in response to an input keyword, wherein the database is not accessible by the search means (col 10, lines 30-35 and col 11, lines 40-50); 3D image creation means for creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the basis of the 3D image data from said 3D image converter and the viewpoint position (col 6, lines 40-50 and col 7, lines 10-15); database access means for accessing said database in accordance with an associated information presentation request associates with the position designated by the user (col 9, lines 40-45); and search control means for, if an access result indicating that a landmark corresponding to the designated position exists, outputting to said search means a textual expression pertaining to a name and contents of the corresponding landmark as

a keyword, and presenting a search result output from said search means (col 11, lines 35-55).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Baillard to include a search database for locating landmarks based on keywords and user location. One of ordinary skill in the art would have been motivated to do this because it would allow the user to retrieve dynamic landmark information (col 10, lines 30-40).

Baillard in view of Barros is silent regarding specifically searching the World Wide Web using a keyword provided by a database as a search term. However, BT discloses the ability to automatically supply a search engine with keywords obtained from a database (page 3, lines 18-25 and 35-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Baillard in view of Barros to search the World Wide Web with a textual expression obtained from a database. One of ordinary skill in the art would have been motivated to do this because it would allow the invention to display current data obtained from a plurality of remote data sources (Barros, col. 4, lines 29-32; BT, Figure 1).

Regarding claims 9 and 11:

Barros teaches that two databases (elements 202 and 203 of Figures 2a and 2b) are consulted during the operation of the invention (col. 11, lines 15-20): a base map database containing map elements, and a topical database containing content and display information, including text files and popup annotations (col. 11, lines 30-40).

The data stored in the two databases includes textual expressions and positional information (col. 11, line 19), although the exact distribution of records between the databases is unclear. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store no other information besides a plurality of pairs of textual expressions and position information, as a plurality of unit records, in the base map database while storing all other data pertinent to the invention in the topical database. The motivation for doing so would be to separate the static map data from the dynamic content that may require frequent updates, thus allowing one to make updates without disrupting the basic mapping functionality of the invention.

Regarding claim 13:

Barros discloses that the database access section is customized to display data from the database (col. 10, lines 50-55 and Figure 2a). In addition, it is well known in the art that search engines can be prevented from accessing certain content, such as by means of a robots.txt file. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Baillard, Barros, and BT to stipulate that the database access section is only capable of accessing the database, and that the search engine is not capable of accessing the database. The motivation for doing so would be to keep the contents of the database private, allowing only those who are authorized to use the client software to view it.

6. Claims 2 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Baillard, Barros, and BT as applied to claim 1 above; and further in view of Darcie et al. (U.S. Patent 6,577,714).

Referring to Claim 2:

Baillard in view of Barros and BT discloses the limitations as discussed in Claim 1 above.

Baillard in view of Barros and BT does not explicitly disclose "a second database for recording an ID of the user and a viewpoint position of the user; a user position display unit for adding a user position mark indicating a current position of the user to a viewpoint position designated by the user on the stereoscopic image presented by said 3D image browser, extracting a viewpoint position and ID of a distant user from said second database, and presenting the extracted viewpoint position and ID with a distant user position mark indicating the position of the distant user being added; and an interaction connection section for, when the user generates a request for interaction by designating a specific distant user position mark, performing interaction connection upon regarding an ID of a distant user corresponding to a current position of the designated distant user position mark"

Darcie discloses a second database for recording an ID of the user and a viewpoint position of the user (col 8, lines 20-25, 57-65); a user position display unit for adding a user position mark indicating a current position of the user to a viewpoint position designated by the user on the stereoscopic image presented by said 3D image

browser (col 12, lines 40-50), extracting a viewpoint position and ID of a distant user from said second database, and presenting the extracted viewpoint position and ID with a distant user position mark indicating the position of the distant user being added (col 2, lines 12-20; col 7, lines 30-45); and an interaction connection section for, when the user generates a request for interaction by designating a specific distant user position mark, performing interaction connection upon regarding an ID of a distant user corresponding to a current position of the designated distant user position mark (col 2, lines 12-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Baillard in view of Barros and BT to include a second database that allows two remote users to interact with each other. One of ordinary skill in the art would have been motivated to do this because it would provide a map-based directory assistance interface that will allow users to located people/business using a interactive map (Darcie: col 1, lines 20-35).

Referring to Claim 4:

Baillard in view of Barros and BT, and further in view of Darcie discloses the limitations as discussed in Claim 2 above. Darcie further discloses a system wherein said interaction connection section activates an interaction function program in making connection to a distant user (col 16, lines 25-45).

Referring to Claim 5:

Baillard in view of Barros and BT, and further in view of Darcie discloses the limitations as discussed in Claim 4 above. Darcie further discloses a system wherein the interaction function program comprises a program for performing interaction connection by using a selected one of electronic mail, telephone, and electronic chat functions (col 16, lines 25-30; Fig. 10a).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Baillard, Barros, BT, and Darcie as applied to claim 2 above; and further in view of Yoshioka (U.S. Patent 6,633,763).

Referring to Claim 3:

Baillard in view of Barros, BT, and Darcie discloses the limitations of Claim 2 above.

Baillard in view of Barros, BT, and Darcie do not explicitly disclose "wherein said system further comprises a storage section storing the maximum number of distant users, in advance, which indicates the maximum number of current positions of distant users which are to be displayed; and said user position display unit extracts viewpoint positions and IDs of distant users from said second database by a number equal to the maximum number stored in said storage section in increasing order of distance from the current position of the user, and presenting the extracted viewpoint positions and IDs,

with distant user position marks indicating the positions of the distant users being added."

Yoshioka discloses wherein said system further comprises a storage section storing the maximum number of distant users, in advance (col 1, lines 30-36; col 2, lines 8-12; col 6, lines; col 7, lines 20-30), which indicates the maximum number of current positions of distant users which are to be displayed (col 7, lines 20-30); and said user position display unit extracts viewpoint positions and IDs of distant users from said second database by a number equal to the maximum number stored in said storage section in increasing order of distance from the current position of the user (col 1, lines 30-36), and presenting the extracted viewpoint positions and IDs, with distant user position marks indicating the positions of the distant users being added (col 1, lines 30-36).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Baillard, Barros, BT, and Darcie to add a maximum number of distant user locations to the display map based on the distance from the current position of a user. One of ordinary skill in the art would have been motivated to do this because it would allow the user to contact a distant user that is within a region of interest to the user (col 1, lines 35-45).

8. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Baillard, Barros, and BT as applied to claims 1 and 8 above, and further in view of Poole et al. (the article "Distributed Communication Methods and Role-Based Access Control for Use in Health Care Applications", hereinafter "SQL/RDA").

Regarding claims 10 and 12, Barros teaches that the server software calls a database access daemon to lookup information in databases (Barros, column 11, lines 15-20). Barros is silent regarding the communication means between the server and the database, thus the use of the Web is not explicitly forbidden. However, SQL/RDA discloses alternate protocols used to access databases (SQL/RDA, paragraphs 4-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Baillard, Barros, and BT to use a protocol like RDA, and not the World Wide Web, to facilitate the communication between the server and the database. The motivation for this would be to promote interoperability between applications in a multi-vendor environment (SQL/RDA, paragraph 7).

Allowable Subject Matter

9. Claims 6, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: The cited prior art does not teach nor reasonably suggest the ability to add records to a database when triggered by remaining at a landmark as presented in a 3d image browser.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Patent Application Publication 2002/0154171, issued to Lee et al.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:00am - 4:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner
Art Unit 2135

TAG
6/8/05